UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,419	02/04/1999	TAKESHI KAMIMURA	Q053219	3733

7590 01/07/2005	EXAMINER
SUGHRUE MION ZINN MACPEAK & SEAS	POKRZYWA, JOSEPH R

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ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/244,419	KAMIMURA, TAKESHI
	Examiner	Art Unit
	Joseph R. Pokrzywa	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 August 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>11,15 and 16</u> is/are allowed.

6)☒ Claim(s) <u>1-10 and 12-14</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment was received on 8/18/04, and has been entered and made of

record. Currently, **claims 1-16** are pending.

Response to Arguments

2.   Applicant's arguments filed 8/18/04 with respect to **claims 1-10, and 12-14** have been

fully considered but they are not persuasive.

In response to applicant's arguments regarding the rejection of independent *claim 1*, cited

in the Office action dated 5/19/04, as being anticipated by Baran (U.S. Patent Number

5,247,591), whereby applicant argues on pages 10 and 11 that Baran fails to teach of a workflow

control table that stores in advance ... the operation assigned to the operation document image.

As read in column 5, lines 12-18, Baran teaches that the abbreviations "route fax messages using

standard cover sheets once the mailing list is provided so that the fax server can automatically

convert the user inputted abbreviation into telephone numbers 36 and extensions 38". Thus, the

"operation" to be performed will be a transmission to the retrieved address, which was prestored.

Further, as read in column 3, line 65-column 4, line 10, Baran teaches that various squares 20 of

the cover sheet seen in Fig. 2A that could be used to "select various services or special treatment

that is desired" The various services include "whether the fax mail being sent is to be private,

how long it is to be retained on the system, to whom a blind copy of the message should be sent,

to select recipient(s) of the message from a predefined distribution list, or to select a standard

stored message that may be timely [sent] to the named recipient." Thus, because the cover sheets

are predefined within the fax server of Baran, one of ordinary skill in the art can recognize that

the operation defined by the operation document image is stored in advance, as required in the

claim.

3.   Therefore, the rejections of independent **claim 1**, as well as independent **claims 12 and

13**, as cited in the Office action dated 8/27/03, under 35 U.S.C.102(b) being anticipated by

Baran, are maintained and repeated in this Office action. Similarly, the rejections of dependent

claims 2-10, and the rejection of **claim 14**, are also maintained and repeated in this Office action.

4.   In response to applicant's arguments regarding the rejection of independent *claim 1*, also

cited in the Office action dated 5/19/04, as being anticipated by Ogaki *et al.* (U.S. Patent Number

5,819,049), whereby applicant argues on pages 12 and 13 that Ogaki fails to teach of a workflow

control table that stores in advance the destination of the operation document image. As seen in

Fig. 10, and read in column 9, lines 60-67, Ogaki teaches that the destination 87 is stored in the

circulation management table 80. Further, as seen in Fig. 13, the operation document image

(circulation sheet) is read in step S5, where, at that time, information is stored in the circulation

management table 80, as read in column 7, line 54-column 8, line 21. Subsequently, after various

processes, including waiting for a user to input a "comment", as seen in steps S21-S25, the

document is transmitted to the destination that is stored in the circulation management table, as

read in column 9, lines 22-28. Therefore, this can be interpreted as storing "in advance", the

species, the destination, and the operation assigned to each document image, as required in the

claim.

5.   Therefore, the rejections of independent *claim 1*, as well as independent *claims 12 and*

13, as cited in the Office action dated 5/19/04, under 35 U.S.C.102(e), as being anticipated by

Ogaki, are maintained and repeated in this Office action. Similarly, the rejection of dependent

claims 2-8 are also maintained and repeated in this Office action.

Claim Rejections - 35 USC § 102

6.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

7.   **Claims 1-10, 12, and 13** are rejected under 35 U.S.C. 102(b) as being anticipated by

Baran (U.S. Patent Number 5,247,591, cited in the Office action dated 5/19/04).

Regarding *claim 1*, Baran discloses an image workflow system for use in transferring

through a network (see abstract), an operation document image (or a work sheet image) which is

featured by a species, a destination, and operation to be handled to the operation document image

(document 20, which includes a cover sheet, see Figs. 1-4, column 2, line 62 through column 5,

line 23), comprising a workflow control table which stores in advance the species, the

destination, and the operation assigned to each operation document image (column 4, line 66

through column 5, line 30), and an image identifying server for identifying the species of the

operation document image to retrieve the species stored in the workflow control table in response

to the identified species (column 6, lines 1 through 54), to automatically recognize the

corresponding destination and operation (column 6, lines 21 through 54), and to transmit a

recognized result together with the operation document image to the network (column 6, lines 34

through 54).

Regarding *claim 2*, Baran discloses the system discussed above in claim 1, and further

teaches of an input device directly coupled to the image identifying server to supply an operation

document as the operation document image into the image identifying server (see Fig. 4, and

column 5, lines 31 through 68).

Regarding *claim 3*, Baran discloses the system discussed above in claim 1, and further

teaches that the recognized result is transmitted to the network together with the operation

document in the form of a packet (column 8, lines 3 through 35).

Regarding *claim 4*, Baran discloses the system discussed above in claim 3, and further

teaches of at least one terminal which includes a destination terminal as the destination and

which is coupled to the network (see Fig. 4, and column 5, lines 6 through 23).

Regarding *claim 5*, Baran discloses the system discussed above in claim 4, and further

teaches that the operation designated by the recognized result, at the destination terminal which

receives the operation document image (see Fig. 4, column 5, lines 6 through 23, and column 8,

lines 3 through 56).

Regarding *claim 6*, Baran discloses the system discussed above in claim 1, and further

teaches that the image identifying server identifies the species of the operation document image

by using character recognition of an identification code representative of the species when the

identification code is included in the operation document image (column 3, lines 9 through 43,

and column 6, lines 21 through 34).

Regarding *claim 7*, Baran discloses the system discussed above in claim 1, and further

teaches that the image identifying server identifies the species of the operation document image

by recognizing an image pattern particular to the operation document image when an

identification code which stands for the species is not included in the operation document image (column 3, lines 9 through 43, and column 6, lines 21 through 34).

Regarding *claim 8*, Baran discloses the system discussed above in claim 5, and further teaches that the destination terminal automatically activates a program performing the corresponding operation to the recognized result when the terminal receives the operation document image (column 8, lines 25 through 46).

Regarding *claim 9*, Baran discloses the system discussed above in claim 3, and further teaches that the image identifying server transmits the packet to a plurality of destination terminals simultaneously when the plurality of destination terminals are associated with the identified species in the workflow control table (column 5, line 6 through column 6, line 20).

Regarding *claim 10*, Ogaki discloses the system discussed above in claim 3, and further teaches that the packet is transmitted from a first terminal to a second terminal after processing of the packet at the first terminal according to the destination terminals specified in the packet when the plurality of destination terminals are associated with the single identified species in the workflow control table (column 5, line 31 through column 6, line 54, and column 8, lines 3 through 46).

Regarding *claim 12*, Baran discloses a method of managing image workflow for transferring, through a network (see abstract), an operation document image which is featured by a species, a destination, and operation to be handled to the operation document image (document 20 which includes a cover sheet, see Figs. 1-4, column 2, line 62 through column 5, line 23), comprising the steps of storing in advance, the species, the destination, and the operation assigned to each operation document image (column 4, line 66 through column 5, line 30), and

identifying the species of the operation document image to retrieve the stored species in response

to the identified species (column 6, lines 1 through 54), to automatically recognize the

corresponding destination and operation (column 6, lines 21 through 54), and to transmit a

recognized result together with the operation document image to the network (column 6, lines 34

through 54).

Regarding *claim 13*, Baran discloses a computer readable medium which stores a

program (column 6, line 55 through column 7, line 39) operable for managing image workflow

for transferring, through a network (see abstract), an operation document image which is featured

by a species, a destination, and operation to be handled to the operation document image

(document 20 which includes a cover sheet, see Figs. 1-4, column 2, line 62 through column 5,

line 23), comprising the steps of storing in advance, the species, the destination, and the

operation assigned to each operation document image (column 4, line 66 through column 5, line

30), and identifying the species of the operation document image to retrieve the stored species in

response to the identified species (column 6, lines 1 through 54), to automatically recognize the

corresponding destination and operation (column 6, lines 21 through 54), and to transmit a

recognized result together with the operation document image to the network (column 6, lines 34

through 54).

8.   **Claims 1-8, 12, and 13** are rejected under 35 U.S.C. 102(e) as being anticipated by

Ogaki *et al.* (U.S. Patent Number 5,819,040, cited in the Office action dated 5/19/04).

Regarding *claim 1*, Ogaki discloses an image workflow system for use in transferring

through a network (see abstract), an operation document image (or a work sheet image) which is

featured by a species, a destination, and operation to be handled to the operation document image (circulation sheet, see Fig. 4, column 5, lines 36 through 50, and steps S1-S5 in Fig. 13, column 7, line 32 through column 8, line 41), comprising a workflow control table which stores in advance the species, the destination, and the operation assigned to each operation document image (see Fig. 10, column 6, line 37 through column 7, line 10), and an image identifying server for identifying the species of the operation document image to retrieve the species stored in the workflow control table in response to the identified species (column 4, lines 47 through 59, and step S13 in Fig. 13, column 8, lines 45 through 61), to automatically recognize the corresponding destination and operation (steps S15 and S17, column 8, lines 55 through 65), and to transmit a recognized result together with the operation document image to the network (step S27, column 9, lines 11 through 30).

Regarding *claim 2*, Ogaki discloses the system discussed above in claim 1, and further teaches of an input device directly coupled to the image identifying server to supply an operation document as the operation document image into the image identifying server (see Figs. 1-3, 11, and 12, column 4, lines 7 through 40).

Regarding *claim 3*, Ogaki discloses the system discussed above in claim 1, and further teaches that the recognized result is transmitted to the network together with the operation document in the form of a packet (column 1, line 31 through column 2, line 64, being a single electronic mail, which inherently is in the form of a packet).

Regarding *claim 4*, Ogaki discloses the system discussed above in claim 3, and further teaches of at least one terminal which includes a destination terminal as the destination and which is coupled to the network (see Figs. 1-3, 11, and 12, column 4, lines 7 through 62).

Regarding *claim 5*, Ogaki discloses the system discussed above in claim 4, and further

teaches that the operation designated by the recognized result, at the destination terminal which

receives the operation document image (column 8, line 59 through column 9, line 30).

Regarding *claim 6*, Ogaki discloses the system discussed above in claim 1, and further

teaches that the image identifying server identifies the species of the operation document image

by using character recognition of an identification code representative of the species when the

identification code is included in the operation document image (column 4, line 40 through

column 5, line 65, and column 7, line 32 through column 8, line 41).

Regarding *claim 7*, Ogaki discloses the system discussed above in claim 1, and further

teaches that the image identifying server identifies the species of the operation document image

by recognizing an image pattern particular to the operation document image when an

identification code which stands for the species is not included in the operation document image

(column 4, line 40 through column 5, line 65, and column 7, line 32 through column 8, line 41).

Regarding *claim 8*, Ogaki discloses the system discussed above in claim 5, and further

teaches that the destination terminal automatically activates a program performing the

corresponding operation to the recognized result when the terminal receives the operation

document image (column 11, line 20 through column 12, line 58).

Regarding *claim 12*, Ogaki discloses a method of managing image workflow transferring,

through a network (see abstract), an operation document image (or a work sheet image) which is

featured by a species, a destination, and operation to be handled to the operation document image

(circulation sheet, see Fig. 4, column 5, lines 36 through 50, and steps S1-S5 in Fig. 13, column

7, line 32 through column 8, line 41), comprising the steps of storing in advance, the species, the

destination, and the operation assigned to each operation document image (see Fig. 10, column 6, line 37 through column 7, line 10), and identifying the species of the operation document image to retrieve the stored species in response to the identified species (column 4, lines 47 through 59, and step S13 in Fig. 13, column 8, lines 45 through 61), to automatically recognize the corresponding destination and operation (steps S15 and S17, column 8, lines 55 through 65), and to transmit a recognized result together with the operation document image to the network (step S27, column 9, lines 11 through 30).

Regarding *claim 13*, Ogaki discloses a computer readable medium (control section 11) which stores a program (column 4, lines 28 through 46, being inherent in the server 2) operable for managing image workflow for transferring, through a network (see abstract), an operation document image (or a work sheet image) which is featured by a species, a destination, and operation to be handled to the operation document image (circulation sheet, see Fig. 4, column 5, lines 36 through 50, and steps S1-S5 in Fig. 13, column 7, line 32 through column 8, line 41), comprising the steps of storing in advance, the species, the destination, and the operation assigned to each operation document image (see Fig. 10, column 6, line 37 through column 7, line 10), and identifying the species of the operation document image to retrieve the stored species in response to the identified species (column 4, lines 47 through 59, and step S13 in Fig. 13, column 8, lines 45 through 61), to automatically recognize the corresponding destination and operation (steps S15 and S17, column 8, lines 55 through 65), and to transmit a recognized result together with the operation document image to the network (step S27, column 9, lines 11 through 30).

Claim Rejections - 35 USC § 103

9.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

10.   **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Baran (U.S.

Patent Number 5,247,591, cited in the Office action dated 5/19/04) in view of Geshwind (WIPO

Publication Number WO 96/41463, cited in the Office action dated 5/19/04).

Regarding *claim 14*, Baran discloses the system discussed above in claim 1, but fails to

expressly disclose if the destination is an IP address.

Geshwind discloses an image workflow system for use in transferring through a network

(see abstract), an operation document image (or a work sheet image) which is featured by a

species, a destination, and operation to be handled to the operation document image (cover sheet,

see Fig. 1, page 4, line 30 through page 6, line 36). Further, Geshwind teaches that the

destination is an IP address (see abstract, and page 6, line 13 through page 7, line 16).

Baran & Geshwind are combinable because they are from the same field of endeavor,

each capable of transmitting facsimile messages as electronic mail. At the time of the invention,

it would have been obvious to a person of ordinary skill in the art to combine the teachings of

Geshwind to the system of Baran. The suggestion/motivation for doing so would have been that

Baran's system, which uses facsimile machines, would become usable with the Internet, thereby

allowing facsimile machines to communicate with a large number of computers without

requiring direct connections to each, as recognized by Geshwind (being read on pages 1 and 2).

Therefore, it would have been obvious to combine Geshwind's teachings with Baran's system to

obtain the invention as specified in claim 14.

Allowable Subject Matter

11.   **Claims 11, 15, and 16** are allowed.

12.   The following is a statement of reasons for the indication of allowable subject matter:

Regarding *claims 11 and 16*, in the examiner's opinion, it would not have been obvious

to have the system, as claimed, include the feature of having the image identifying server

observe the efficiency of a plurality of terminals and select one of the terminals which have the

lowest efficiency as the destination terminal when the plurality of terminals are associated with

the single identification species in the workflow control table.

Regarding *claim 15*, in the examiner's opinion, it would not have been obvious to have

the system, as claimed, include an operation document image featured by a species, a plurality of

destinations, and at least one operation for each destination to be handled, whereby destinations

are ordered in a workflow table to define a predetermined path for transferring the operation

document image, wherein the operation document image is processed on the basis of one or more

operations at each destination terminal, which receives the operation document image in the

predetermined order.

Conclusion

13.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

14.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The

examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrp